IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5902 OF 2007

Smt. Vimal Namdeo Bhoir & Ors. ... Petitioners

Vs.

State of Maharashtra & Ors. ... Respondents

Ms. Jyoti Chavan for the petitioners.

Mr. C.R. Sonawane, A.G.P. for respondents 1 to 3.

Mr. C.S. Joshi for respondent 4.

Ms. Madhavi Tavanandi for respondents 7 and 8.

CORAM : SMT. RANJANA DESAI &
SMT. ROSHAN DALVI, JJ.

DATED : NOVEMBER 21, 2007.

P.C.:-

1. We have heard learned counsel appearing for the petitioners and learned counsel appearing for the respondents. Admittedly, the issue involved in this petition is covered by the judgment of this court in Writ Petition No.3762 of 2005 dated 7/7/2006 (H.L. Gokhale & J. H. Bhatia, JJ). There is no dispute about this fact.

Hence, the present petition can be disposed of by recording the statement made by learned counsel for respondent 4.

2. Learned counsel for respondent 4 states that respondents 7 and 8 are presently appointed as Anganwadi Karyakartis. Petitioners 1 and 2 are presently working as Balwadi Madatnis and petitioner 3 is working as Balwadi Sevika. Learned counsel for respondent 4 states that in terms of the judgment of this court in Writ Petition No.3762 of 2005 dated 7/7/2006, petitioners 1 and 2 will be appointed as Anganwadi Karyakartis. So far as petitioner 3 is concerned, when Anganwadi will be opened in village Chandra Pada, Taluka Sahapur, her claim will be considered and she will be appointed. So far as respondents 7 and 8 are concerned, they will be demoted to the post of Balwadi Madatnis. However, as and when the post of Anganwadi Karyakartis is created, on priority basis their claim will be considered and they will be appointed. Learned counsel for respondent 4 further states that the salary of petitioners 1 and 2 as Anganwadi Karyakartis will be paid from the date of filing of the present petition i.e. from 18/7/2007. Learned counsel for the petitioners has no objection to this. Learned counsel for respondent 4 further states that the appointment will be

made within two weeks from today and the arrears will be paid within three months from today. The statements made by learned counsel for respondent 4 on instructions from S.A. Patil, Child Welfare Project Officer (CDPO), Sahapur and Smt. Rekha Suresh Javarkar, Asstt. Child Welfare Project Officer (CDPO) Murbad, who are present in the court, are recorded and accepted by this court. Learned counsel for respondents 7 and 8 states that since respondent 4 has given assurance that as and when posts of Karyakartis are created, respondents 7 and 8 will be appointed on priority basis. Respondents 7 and 8 have no objection to work as Madatnis. We expect respondent 4 to abide by the statements made in the court. The petition is disposed of in the aforestated terms.

[SMT. RANJANA DESAI, J.]

[SMT. ROSHAN DALVI, J.]